

Site medley
Date 11-9
Other

MAY 28 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dow Corning Corporation
c/o Ms. Vicki Lynn Martin, Esq.
Midland, Michigan 48640

Re: Medley Site
County Road 72 (Burnt Gin Road)
Gaffney, S.C.

Dear Ms. Martin:

In our letter to you dated October 25, 1983, we brought to your attention the fact that 55 gallon drums bearing the Dow Corning logo and identifying markings were discovered by EPA's On Scene Coordinator at the abandoned Medley site in Gaffney, South Carolina. We now ask your cooperation in identifying the contents of these barrels. Specific information about the original contents of these barrels may greatly assist in determining whether further EPA action is indicated with respect to your company or whether other potentially responsible parties are worthy of increased EPA attention.

Should you, from the information provided, be unable to ascertain the exact contents of the barrels in question, we encourage you to make an educated guess. However, if, at the end of your document search, such a guess is deemed impracticable, EPA requests that you provide, as a procedural measure to formalize your compliance with EPA's information request, an affidavit which substantiates the fact that such information is lacking. The affidavit should indicate that a diligent search of your records has been conducted and that all relevant information discovered in that search, if any, is being presented to EPA.

Under the provisions of Section 104 of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6927, as amended by the Solid Waste Disposal Act Amendments of 1980 and the Hazardous and Solid Waste Amendments of 1984, the Administrator of the EPA has the authority to require any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled

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hazardous waste and substances to furnish information related to such waste and substances. Pursuant to these statutory provisions, you are hereby requested to provide the following information within three (3) weeks from the date of your receipt of this letter:

1. Do the markings "Hydroxethyl Acetate" or "Hydroxethyl Acetone" correspond with any product(s) currently produced or previously produced by your company or any of its affiliates?
2. Do the markings as described in Question #1 provide sufficient data to enable your company to identify any potential users of this product(s)?
3. If your answer to Question #2 is "yes", provide as complete a list of potential industrial and commercial consumers located within the State of South Carolina as your records will allow.
4. Indicate the degree to which the parties listed as consumers in Question #3 purchased your product(s) over the period from 1969 through 1976.
5. To the best of your knowledge, were any of the parties listed as consumers listed in Question #3 engaged in production or manufacturing processes which would have generated hazardous chemical or industrial wastes or other hazardous substances? If so, who are they?

The responses to the questions posed above must be sent to the address listed below within three (3) weeks from the date of your receipt of this letter.

Mr. Kirk Macfarlane
Assistant Regional Counsel
U.S. Environmental Protection Agency
345 Courtland St., N.E.
Atlanta, GA 30365
(404) 881-2641

Under Section 3008 of RCRA, 42 U.S.C. §6928, failure to comply with this request may result in an order assessing civil penalties and requiring compliance. Failure to comply with this request under Section 104 of CERCLA may result in a civil enforcement action brought against you by EPA.

For any portion of the information revealed above which is entitled to confidential treatment by EPA, please assert a business confidentiality claim in accordance with 40 C.F.R. §2.203(b). If EPA determines that the information claimed to

be confidential meets the criteria in 40 C.F.R. §2.200, then such information will be disclosed by EPA only to the extent and by the procedures specified in 40 C.F.R. Part 2, Subpart B. EPA will construe your failure to furnish a confidentiality claim with response to this letter as a waiver or a confidentiality claim, and the information may be made available to the public by EPA without further notice to you.

Please direct any technical questions that you may have to either Mr. Macfarlane or Ms. Giezelle Bennett at (404) 881-2930.

Thank you for your prompt attention to this matter.

Sincerely,

/s/ Thomas W. Devine
Thomas W. Devine
Director
Waste Management Division

bcc: Giezelle Bennett

Larry Weiner
OWPE-WH-527

P 581 500 488

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

☆ U.S.G.P.O. 1983-403-517

PS Form 3800, Feb. 1982

Send to	Ms. Vicki Lynn Martin
Street and No.	Dow Corning Corp.
P.O., State and ZIP Code	Midland, Michigan 48640
Postage	Re: Medley Site \$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	